

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-17212/3

REGULATORY PROJECT MANAGER: John Davidson

Date: 2 June 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 9 May 2006

At the project Site: Y(Y/N)

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Orange

Center Coordinates of Site by Latitude & Longitude Coordinates

30-8-59.7815 N; 94-0-25.9114 W

Approximate Size of Site/Property (Including Uplands & in Acres)

53 Acres

Name of Waterway or Watershed

Lower Neches River

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands				X					
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce				X	

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The tract contained an unnamed tributary to Anderson Gully and a wetland adjacent to the tributary. These are waters of the United States. The tract also contains wetlands located above the 100-year floodplain that do not have a direct hydrologic surface connection to the unnamed

D-17212/3

tributary. These wetlands are isolated with no known nexus to interstate commerce and therefore, are not waters of the United States.

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RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District
FILE NUMBER: D-18466 Site 6
REGULATORY PROJECT MANAGER: Mark Pattillo
PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N): Y **Date:** 7 April 2006
 At project site (Y/N): N **Date:**

PROJECT LOCATION INFORMATION:

State: Texas
County: Willacy
Center coordinates of site by latitude & longitudinal coordinates: 26-31-16.8 N; 97-52-28.8
Approximate size of site/property (including uplands & in acres): 1.5 acres
Name of waterway or watershed: La Sal Vieja

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.									

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.					

TYPE OF DETERMINATION: Preliminary ☐ or Approved ☒

ADDITIONAL INFORMATION SUPPORTING NJD (required):

1. Site/Environmental Conditions Total Size of Non-Jurisdictional Water Feature
 Does water feature extend off of project site? Y / N
 Would proposed discharge fill entire water feature ? Y / N
 Number of water features determined Non-Jurisdictional
 Other relevant information

2. Rationale for determination, including information reviewed to assess potential navigation or interstate commerce connections: Isolated, non-navigable, intrastate water, which has no known nexus to interstate commerce.

3. Do waters of the U.S. exist on the site? Y / N If Yes, approximate size of jurisdictional water(s):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District
FILE NUMBER: D-18466 Site 5
REGULATORY PROJECT MANAGER: Mark Pattillo
PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N): Y **Date:** 7 April 2006
 At project site (Y/N): N **Date:**

PROJECT LOCATION INFORMATION:

State: Texas
County: Willacy
Center coordinates of site by latitude & longitudinal coordinates: 26-32-21.1 N; 97-52-7.5
Approximate size of site/property (including uplands & in acres): 1.5 acres
Name of waterway or watershed: La Sal Vieja

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Stream	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Dry Wash	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Mudflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sandflat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Slough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Prairie pothole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Playa lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Vernal pool	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Natural pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Other water (identify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat by other migratory birds that cross state lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is or would be used as habitat for endangered species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is used to irrigate crops sold in interstate commerce?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ or Approved ☒

ADDITIONAL INFORMATION SUPPORTING NJD (required):

1. Site/Environmental Conditions Total Size of Non-Jurisdictional Water Feature
 Does water feature extend off of project site? Y / N
 Would proposed discharge fill entire water feature ? Y / N
 Number of water features determined Non-Jurisdictional
 Other relevant information

2. Rationale for determination, including information reviewed to assess potential navigation or interstate commerce connections: Isolated, non-navigable, intrastate water, which has no known nexus to interstate commerce .

3. Do waters of the U.S. exist on the site? Y / N If Yes, approximate size of jurisdictional water(s):

- 3. Do waters of the U.S. exist on the site? Y / N** **If Yes, approximate size of jurisdictional water(s):**

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ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16735 (Site 1)

REGULATORY PROJECT MANAGER: Hoth

Date: 15 November 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)
At the project Site: Y(Y/N)

Date: 12 April 2006

PROJECT LOCATION INFORMATION:

State: TX
County: Brazoria
Center Coordinates of Site by Latitude & Longitude Coordinates: 29° 02' 23"N, 95° 20' 54"W
Approximate Size of Site/Property (Including Uplands & in Acres): 2.00 acres
Name of Waterway or Watershed: Austin-Oyster

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The wetlands on the site are not located within the 100-year floodplain of a water of the United States and do not have a surface hydrologic connection to a water of the United States. Therefore, the wetlands within the project area are isolated with no known nexus to interstate commerce. As such, no waters of the United States, including adjacent wetlands are present within the project site.

INFORMATION SHEET
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ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-18478 (Sites 1 and 2)

REGULATORY PROJECT MANAGER: Hoth

Date: 27 March 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 30 May 2006

At the project Site: Y(Y/N)

PROJECT LOCATION INFORMATION:

State:

TX

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitude Coordinates

29° 44' 52"N, 95° 48' 41"W

Approximate Size of Site/Property (Including Uplands & in Acres)

20

Name of Waterway or Watershed

Willow Fork of Buffalo Bayous

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The wetlands on the site, are not located within the 100-year floodplain of a water of the United States and are not part of a surface tributary system of a water of the United States. Therefore, the wetlands within the project areas are isolated with no known nexus to interstate commerce. As such, no waters of the United States, including adjacent wetlands are present within the project sites.

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-18526

REGULATORY PROJECT MANAGER: Hoth

Date: 24 April 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 25 May 2006

At the project Site: (Y/N)

PROJECT LOCATION INFORMATION:

State:

TX

County:

Galveston

Center Coordinates of Site by Latitude & Longitude Coordinates

29° 35' 43"N, 94° 59' 29"W

Approximate Size of Site/Property (Including Uplands & in Acres)

5

Name of Waterway or Watershed

Galveston Bay

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The project site is outside the 100-year flood plain of a water of the United States and the wetlands on the site are not part of surface tributary system to a water of the United States. Therefore, the wetlands within the project area are isolated with no known nexus to interstate commerce. As such, no waters of the United States, including adjacent wetlands are present within the project site.

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG Galveston District

FILE NUMBER: D-14802/(01)

REGULATORY PROJECT MANAGER: Weitknecht

Date: 20-May-06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site N

Date: 20-May-06

Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Galveston

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29 28' 33" N, 95 05' 38" W

Approximate Size of Site/Property (Including Uplands & In Acres):

47

Name of Waterway or Watershed:

West Galveston Bay

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

20 May 2006

COPY

MEMORANDUM FOR THE FILE

SUBJECT: **D-14802/(01)**; Jurisdictional Verification, Approximately 47 Acres,
Northeast quadrant of the Intersection of Interstate 45 and FM 646, City of League City,
Galveston County, Texas

1. The total project site is approximately 47 acres. Located within the project boundaries are three isolated wetlands of an undetermined size. None of these wetlands extend off of the subject tract. No project specifics were given with the jurisdictional determination request to ascertain which, if any, of these wetlands are to be filled.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and are not part of a surface tributary system of a water of the United States..
3. No waters of the U.S. are present on the subject tract.

ORIGINAL SIGNED BY

Glenn Weitknecht
Regulatory Specialist

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG

FILE NUMBER: D-18164

COPY

REGULATORY PROJECT MANAGER: Weitknecht

Date: 7-Apr-06

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 7-Apr-06
 Date: 10-Feb-06

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29 40' 36" n, 95 41' 33" W

Approximate Size of Site/Property (Including Uplands & In Acres):

25

Name of Waterway or Watershed:

Lower Brazos

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

COPY

7 Apr 2006

MEMORANDUM FOR THE FILE

SUBJECT: **D-18164**; Jurisdictional Determination, Sprint Companies, 25-Acre Site, West of O'Brien Road, Fort Bend County Texas

1. The total project site is approximately 25 acres. Located within the project boundaries are an undetermined amount of what appears to be wetlands. If these areas are indeed wetlands they are isolated and not subject to Corps jurisdiction. None of these wetlands extend off of the subject tract. No project specifics were given with the jurisdictional determination request to ascertain which, if any, of these apparent wetlands are to be filled.
2. The apparent wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and they are not part of a surface tributary system to a water of the United States.
3. No waters of the U.S. are present on the subject tract.

ORIGINAL SIGNED BY

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG

FILE NUMBER: D-18066

REGULATORY PROJECT MANAGER: Weitknecht

Date: _____

PROJECT REVIEW/DETERMINATION COMPLETED: In the office _____ Y
 At the Project Site _____ Y

Date: 6-Apr-06

Date: 10-Feb-06

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29 41' 19" N, 95 42' 37" W

Approximate Size of Site/Property (Including Uplands & In Acres):

1,200

Name of Waterway or Watershed:

Lower Brazos

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands				X					
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

MEMORANDUM FOR THE FILE

COPY

SUBJECT: D-18066; Jurisdictional Delineation Verification, TXI 1,200-Acre Harlem Road Site, Centennial Park Addition, City of Pearland, Brazoria County, Texas

1. The total project site is 1,200 acres. Located within the project boundaries are 6.73 acres of isolated wetlands. None of these wetlands extend off of the subject tract. No project specifics were given with the jurisdictional determination request to ascertain which, if any, of these wetlands are to be filled.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and are not part of a surface tributary system.
3. There are 3.48 acres of jurisdictional waters of the United States present on the subject tract.

~~ORIGINAL~~ ~~11-11-06~~ ~~by~~

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: GALVESTON

FILE NUMBER: D18470

REGULATORY PROJECT MANAGER: Johnson

Date: 5/25/2006

PROJECT REVIEW/DETERMINATION COMPLETED: Y (Y/N)
 At the Project Site _____ (Y/N)

Date: 3/25/2006
 Date: _____

PROJECT LOCATION INFORMATION:

State: _____
 County: _____
 Center Coordinates of Site by Latitude & Longitudinal Coordinates: _____
 Approximate Size of Site/Property (Including Uplands & In Acres): _____
 Name of Waterway or Watershed: _____

Texas
 San Jacinto
 294167E 3383936N
 San Jacinto River

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	XXXXXX								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXX
Is or would be used as habitat for endangered species?					XXX
Is used to irrigate crops sold in interstate commerce?					XXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Isolated wetlands with no known nexus to interstate commerce.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-1708001

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 5/18/2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office YES (Y/N)
 At the Project YES (Y/N)

Date: 5/18/2006
 Date: 9/8/05, 3/7/06, 4/21/06

PROJECT LOCATION INFORMATION:

State:
 County:
 Center Coordinates of Site by Latitude & Longitudinal Coordinates:
 Approximate Size of Site/Property (Including Uplands & In Acres):
 Name of Waterway or Watershed:

Texas
 Liberty
 Site 1 30° 19' 41"N, 95° 08' 39"W, Site 2
 439-ac
 San Jacinto River

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands					XXXXXX				
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									
Drainage Ditch/Fish ponds		Stock							

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXX
Is or would be used as habitat for endangered species?					XXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXXXXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Wetlands are isolated with no nexus to interstate commerce. Stock ponds are exempt

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG
FILE NUMBER: D-18578

REGULATORY PROJECT MANAGER: Fordyce **Date:** 6/21/06

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office** Yes (Y/N) **Date:** 6/21/06
At the project site (Y/N) **Date:**

PROJECT LOCATION INFORMATION:
State: TX
County: Harris
Center coordinates of site by latitude & longitudinal coordinates: UTM 269409E, 3315801N
Approximate size of site/property (including uplands & in acres): 13.3
Name of waterway or watershed: Greens Bayou

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?		X			
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-18317

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 5/3/2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office YES (Y/N)
 At the Project YES (Y/N)

Date: 5/3/2006

Date: 4/4/2006

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Chambers

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 50' 23"N, 94° 36' 17"W/29° 50' 03"N, 94

Approximate Size of Site/Property (Including Uplands & In Acres):

6.8 and 72-acres

Name of Waterway or Watershed:

White Bayou/Lower Trinity

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			XXXXXX						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									
Drainage Ditch/Fish ponds									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXX
Is or would be used as habitat for endangered species?					XXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXXXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): 72-acre tract appears to have wetlands that have no nexus to interstate commerce & no hydrological connection.

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG

FILE NUMBER: D-17764(01)

REGULATORY PROJECT MANAGER: Doug Boren

Date: 26 April 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 21 April 2006

At the project Site: Y(Y/N)

Date: 16 March 2006

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitude Coordinates

29° 46' 15"N, 95° 34' 07"W (NAD83)

Approximate Size of Site/Property (Including Uplands & in Acres)

13.57 acres

Name of Waterway or Watershed

Buffalo-San Jacinto

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X
 ADDITIONAL INFORMATION SUPPORTING NJD: Attached

Additional Information Supporting NJD

1. D-17764(01); Harris County Flood Control District, Audobon Society's Edith L. Moore Sanctuary, Jurisdictional Delineation Verification, 13.57-Acre Tract Adjacent to Rummel Creek, Harris County, Texas.
2. The project area does have a wetland area that does not have a surface hydrologic connection to a navigable water of the United States. The wetland area is located outside of the 100-year flood plain and does not have a nexus to interstate commerce. A site visit was conducted on 16 March 2006. The entire wetland area was surrounded by uplands. Any dredged or fill material placed within the wetland area would not have a significant effect on any navigable water of the United States.
3. This is an approved jurisdictional determination.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D18325

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 4/24/2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office yes (Y/N)
 At the Project yes (Y/N)

Date: 4/24/2006

Date: 3/30/2006

PROJECT LOCATION INFORMATION:

State: Texas
 County: Harris
 Center Coordinates of Site by Latitude & Longitudinal Coordinates: 30° 01' 15"N, 95° 36' 52"W
 Approximate Size of Site/Property (Including Uplands & In Acres): 130
 Name of Waterway or Watershed: Spring Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									
				Ponds					

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXX
Is or would be used as habitat for endangered species?					XXXX
Is used to irrigate crops sold in interstate commerce?					XXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary or Approved XXXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Isolated ponds with no direct evidence of a hydrological connection to another water of the US nor any nexus to interstate commerce.

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG

FILE NUMBER: D-17093

REGULATORY PROJECT MANAGER: Doug Boren

Date: 06 April 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 06 April 2006

At the project Site: (Y/N)

Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitude Coordinates

30° 06' 14"N, 95° 37' 27"W (NAD83)

Approximate Size of Site/Property (Including Uplands & in Acres)

10 acres

Name of Waterway or Watershed

Spring

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X
 ADDITIONAL INFORMATION SUPPORTING NJD: Attached

Additional Information Supporting NJD

1. D-17093, Integrated Real Estate, Jurisdictional Determination for the 10-Acre Tract of Vacant Land, Located in Tomball, Harris County, Texas.
2. The project area does have wetland areas that do not have a surface hydrologic connection to a water of the United States. There is no surface hydrologic connection between the wetland and a navigable water of the United States. The wetland is not located within the 100-year floodplain. The area does not appear to have a nexus to interstate or foreign commerce. The wetland area on the project property appears to simply be a depressional wetland that collects excess rainwater run-off from higher elevations and pools long enough for the area to exhibit the three wetland characteristics. Excess rain water from the wetland area would have to sheet flow over uplands and into a roadside drainage ditch and then drain into the nearest water of the United States.
3. This is an approved jurisdictional determination.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: GALVESTON

FILE NUMBER: D18603

REGULATORY PROJECT MANAGER: Johnson

Date: 60-06-06

PROJECT REVIEW/DETERMINATION COMPLETED: DESK YES (Y/N)
 At the Project Site (Y/N)

Date: 6/6/2006
 Date: _____

PROJECT LOCATION INFORMATION:

State: _____
 County: _____
 Center Coordinates of Site by Latitude & Longitudinal Coordinates: _____
 Approximate Size of Site/Property (Including Uplands & In Acres): _____
 Name of Waterway or Watershed: _____

Texas
 Montgomery
 30° 12' 53"N, 95° 33' 59"W

 65
 Bear Branch

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	XXXXX								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXX
Is or would be used as habitat for endangered species?					XXX
Is used to irrigate crops sold in interstate commerce?					XXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): Isolated wetlands with no known nexus to interstate commerce.

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG

FILE NUMBER: D-18113

REGULATORY PROJECT MANAGER: J.M.Hudson
2006

Date: 23 March

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)
 At the project Site: (Y/N)

Date: 23 March 2006

Date: _____

PROJECT LOCATION INFORMATION:

State:

TX

County:

Harris

Center Coordinates of Site by Latitude & Longitude Coordinates

29 48'26"N 95 43'24"W

Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

Addicks Reservoir

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands		X							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: Does not meet criteria for neighboring, bordering or contiguous.

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-15204/(01)

REGULATORY PROJECT MANAGER: J.M.Hudson

Date: 3 April 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: (Y/N)

Date: 16 February 2006

At the project Site: (Y/N)

Date: 24 February 2006

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitude Coordinates

29 55'18"N 95 14'41"

Approximate Size of Site/Property (Including Uplands & in Acres)

Name of Waterway or Watershed

Greens Bayou

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION: PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: Wetlands had no direct hydrological surface connection and did not meet the threshold for neighboring.

INFORMATION SHEET
 DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON NAVIGABLE, INTRASTATE WATERS RESULTING
 FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S.
 ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-18711

REGULATORY PROJECT MANAGER: John Davidson

Date: 20 June 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the office: Y(Y/N)

Date: 20 June 2006

At the project Site: Y(Y/N)

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitude Coordinates

30-1-50.6418 N; 95-30-6.0354 W

Approximate Size of Site/Property (Including Uplands & in Acres)

46 Acres

Name of Waterway or Watershed

Spring Creek watershed

SITE CONDITIONS:

Type of Aquatic Resources ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intrastate water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ²	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not able to Make Determination
Is or would be used as habitat by birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce					X

² Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resources area.

TYPE OF DETERMINATION:

PRELIMINARY _ or APPROVED X

ADDITIONAL INFORMATION SUPPORTING NJD: The tract contains wetlands located above the 100-year floodplain that do not have a direct hydrologic surface connection to the unnamed tributary. These wetlands are isolated with no known nexus to interstate commerce and therefore, are not waters of the United States.